

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF AGRICULTURE ENVIRONMENTAL SERVICES DIVISION

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 3159.) The Governor's Office authorized the notice to proceed through the rulemaking process on July 9, 2013.

[R13-160]

- 1. Title and its heading:** 3, Agriculture
Chapter and its heading: 3, Department of Agriculture – Environmental Services Division
Article and its heading: 1, General Provisions; 2, Permits, Licenses, and Certification; 3, Pesticide Use, Sales, and Equipment; 4, Recordkeeping and Reporting; 5, Nonexclusive Lists of Serious, Nonserious, and De Minimis Violations
Section numbers: R3-3-101, Table 1, R3-3-201, R3-3-202, R3-3-208, R3-3-305, R3-3-401, R3-3-402, R3-3-502 (Additional sections may be added or amended as necessary.)
- 2. The subject matter of the proposed rule:**
The Department proposes to revise its rules for the purpose of including regulation of pesticide use by golf courses, which authority was moved to the Department from the Office of Pest Management by Laws 2013, Ch. 64 and Laws 2013, Ch. 125.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Final Exempt Rulemaking: 19 A.A.R. 3130, October 11, 2013 (*in this issue*)
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Jack Peterson
Address: Department of Agriculture
1688 W. Adams
Phoenix, AZ 85007
Telephone: (602) 542-3575
E-mail: jpeterson@azda.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Department will accept written comments at the address listed in item 4 for at least 30 days following publication of this notice. The Department has not scheduled an oral proceeding at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
None

NOTICE OF RULEMAKING DOCKET OPENING

REGISTRAR OF CONTRACTORS

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 3159.) The Governor's Office authorized the notice to proceed through the rulemaking process on September 16, 2013.

[R13-165]

- 1. Title and its heading:** Title 4 Professions and Occupations
Chapter and its heading: Chapter 9 Registrar of Contractors
Article and its heading: Article 1 General Provisions
Section numbers: R4-9-101 through R4-9-108; R4-9-110; R4-9-112 through R4-9-113;

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R4-9-115 through R4-9-117; R4-9-120 through R4-9-121; R4-9-130

2. The subject matter of the proposed rule:

This rulemaking is in response to a 5-year review report on Title 4, Chapter 9, approved by the Governor's Regulatory Review Council on March 6, 2012. In the 5-year review report, the Registrar committed to amending these rules. Many contractors have expressed confusion and frustration with the current rules, most of which haven't been updated since 1998. The Registrar is seeking approval to begin the formal rulemaking process to update existing rules making them more clear, concise, consistent and understandable. This request also includes a reduction in license fees.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Tyler Palmer
Address: Registrar of Contractors
1700 W. Washington
Phoenix, AZ 85007
Telephone: (602) 771-6710
E-mail: tyler.palmer@azroc.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The agency does not intend to hold public hearings on this rule, unless a public hearing is requested within 30 days of the publication of this rule. All written comments on the rule and any requests for public hearing shall be made to the person listed in item number 4.

6. A timetable for agency decisions or other action on the proceeding, if known:

None

NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)
ADMINISTRATION

Editor's Note: The following three Notices of Rulemaking Docket Opening were reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 3159.) The Governor's Office authorized the notices to proceed through the rulemaking process on August 14, 2013.

[R13-168]

1. Title and its heading:

9, Health Services

Chapter and its heading:

22, Arizona Health Care Cost Containment System - Administration

Article and its heading:

3, General Eligibility Requirements

14, AHCCCS Medical Coverage For Families and Individuals

15, AHCCCS Medical Coverage For People Who Are Aged,

Blind, Or Disabled

Section numbers:

R9-22-301 through R9-22-302; R9-22-304 through R9-22-305;

R9-22-306 through R9-22-317; R9-22-1401 through R9-22-1432;

R9-22-1443; R9-22-1501 through R9-22-1503; R9-22-1505 (As part of this rulemaking, the Administration may add, delete, or modify Sections as necessary.)

2. The subject matter of the proposed rule:

The Administration is promulgating rule amendments as a result of the Affordable Care Act of 2010, and Arizona Laws 2013, First Special Session, Ch. 10 (House Bill 2010). Expansion of eligibility for: Children 6-18 to 133% of FPL, Former foster care children from ages 21 to 26, Childless adults up to 133% (including restoring Prop 204 populations – up to 100% - and adding 100-133% per A.R.S. § 36-2901.07); Income determinations based on “modified adjusted gross income;” Changes to processes for determining and redetermining eligibility including changes to accommodate online applications and Internet-based verification of income, citizenship and alien status, state residence, and other eligibility factors; and miscellaneous changes to clarify and conform to federal requirements. These proposed rules are effective January 1, 2014.

3. A citation to all published notices relating to the proceeding:

Notice of Proposed Rulemaking: 19 A.A.R. 3064, October 11, 2013 (*in this issue*).

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Mariaelena Ugarte
Address: AHCCCS

Notices of Rulemaking Docket Opening

Office of Administrative Legal Services
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034

Telephone: (602) 417-4693
Fax: (602) 253-9115
E-mail: AHCCCSrules@azahcccs.gov

5. The time which the agency will accept written comments and the time and place where oral comments may be made:

The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in question #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

6. A timetable for agency decisions or other action on the proceeding, if known:

See the Notice of Proposed Rulemaking published on page 3064 of this issue.

NOTICE OF RULEMAKING DOCKET OPENING

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)
ARIZONA LONG-TERM CARE SYSTEM**

[R13-170]

- 1. Title and its heading:**
Chapter and its heading:
Article and its heading:
Section numbers:

9, Health Services
28, Arizona Health Care Cost Containment System - Arizona
Long-Term Care System
4, Eligibility and Enrollment
R9-28-401 through R9-28-411; R9-28-413 through R9-28-416;
R9-28 418 (As part of this rulemaking, the Administration may add,
delete, or modify Sections as necessary.)

2. The subject matter of the proposed rule:

The Administration is promulgating rule amendments as a result of the Affordable Care Act of 2010 and Arizona Laws 2013, First Special Session, Ch. 10 (House Bill 2010). The majority of the significant amendments exist within Chapter 22, acute care eligibility, but as a result of this review the Administration has reviewed the eligibility requirements existing within Chapter 28, ALTCS eligibility. The proposed changes ensure clarity, conciseness and the accuracy of the parallel eligibility requirements for the ALTCS program, such as, changes to processes for determining and redetermining eligibility, including changes to accommodate online applications and Internet-based verification of income, citizenship and alien status, state residence, and other eligibility factors; and miscellaneous changes to clarify and conform to federal requirements. These proposed rules are effective January 1, 2014.

3. A citation to all published notices relating to the proceeding:

Notice of Proposed Rulemaking: 19 A.A.R. 3099, October 11, 2013 (*in this issue*).

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Mariaelena Ugarte
Address: AHCCCS
Office of Administrative Legal Services
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4693
Fax: (602) 253-9115
E-mail: AHCCCSrules@azahcccs.gov

5. The time which the agency will accept written comments and the time and place where oral comments may be made:

The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in question #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

6. A timetable for agency decisions or other action on the proceeding, if known:

See the Notice of Proposed Rulemaking published on page 3099 of this issue.

NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)
CHILDREN’S HEALTH INSURANCE PROGRAM

[R13-172]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 31, Arizona Health Care Cost Containment System - Children’s Health Insurance Program
Article and its heading: 3, Eligibility and Enrollment
14, Premiums For a Child Determined Eligible Under Article 3
17, Eligibility, Enrollment and Cost Sharing For a Parent
Section numbers: R9-31-301 through R9-31-306; R9-31-308 through R9-31-310; R9-31-1402; R9-31-1416; R9-31-1420; R9-31-1701 through R9-31-1713; R9-31-1716 through R9-31-1735 (As part of this rulemaking, the Administration may add, delete, or modify Sections as necessary.)
- 2. The subject matter of the proposed rule:**
The Administration is promulgating rule amendments as result of the Affordable Care Act of 2010 and Arizona Laws 2013, First Special Session, Chapter 10 (House Bill 2010). The majority of the significant amendments exist within Chapter 22, acute care eligibility, but as a result of this review the Administration has reviewed the eligibility requirements existing within Chapter 31, KidsCare eligibility. The proposed changes are to ensure clarity, conciseness and the accuracy of the parallel eligibility requirements for the KidsCare program, such as, changes to processes for determining and redetermining eligibility including changes to accommodate on line applications and Internet-based verification of income, citizenship and alien status, state residence, and other eligibility factors; and miscellaneous changes to clarify and conform to federal requirements. These proposed rules are to be effective January 1, 2014.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 19 A.A.R. 3130, October 11, 2013 (*in this issue*).
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Mariaelena Ugarte
Address: AHCCCS
Office of Administrative Legal Services
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4693
Fax: (602) 253-9115
E-mail: AHCCCSrules@azahcccs.gov
- 5. The time which the agency will accept written comments and the time and place where oral comments may be made:**
The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in question #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
See the Notice of Proposed Rulemaking published on page 3130 of this issue.